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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT LAMON POLK,

Defendant.

Case No. 2:23-cr-00020-JAD-VCF

Stipulation to Continue Motion Deadlines

It is hereby stipulated and agreed, by and between Jason M. Frierson, United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Aden Kebede, Assistant Federal Public Defender, counsel for Robert Lamon Polk, that the previously ordered deadline for the Government's response to defendant's motions to suppress be vacated and that the Government shall have to and including August 28, 2023 within which to file its response. The parties further stipulate and agree that the defendant shall have to and including September 4, 2023 within which to file his reply motion.

The Stipulation is entered into for the following reasons:

1. The parties are currently engaged in negotiations to resolve the matter. If the matter is resolved, it will obviate the need for pretrial litigation.

2. The parties are discussing matters related to discovery which could have an impact on any pretrial litigation.
3. The defendant is not incarcerated and does not object to the continuance.
4. The parties agree to the continuance.
5. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties to resolve the matter or any issues related to pretrial litigation.
6. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

This is the third stipulation to continue motion deadlines filed herein.

Dated: July 25, 2023

JASON M. FRIERSON
United States Attorney

RENE L. VALLADARES
Federal Public Defender

/s/ Melanee Smith
MELANEE SMITH
Assistant United States Attorney

/s/ Aden Kebede
ADEN KEBEDE
Assistant Federal Public Defender

UNITED STATES OF AMERICA, Plaintiff, vs. ROBERT LAMON POLK, Defendant.	Case No. 2:23-cr-00020-JAD-VCF Findings of Fact, Conclusions of Law, and Order
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Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

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CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

ORDER

IT IS THEREFORE ORDERED that the government shall have to and including August 28, 2023, to file its response to the defendant's motions to suppress.

IT IS FURTHER ORDERED that the defendant shall have to and including September 4, 2023, to file his reply.

DATED this 26th day of July 2023.


UNITED STATES DISTRICT JUDGE